1714

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s)

Phillip B. Blankenship, Joseph Drbohlav, III,

Michael L. Hines

Serial No.

Not yet assigned

Filing Date

October 20, 2003

Title

A SYSTEM FOR REPAIRING DISTRESSED ROADS THAT INCLUDES AN ASPHALT

09/893.314

INTERLAYER

Group/Art Unit

1714 1762

Examiner

Peter A Szekoly Fric Fuller

Confirmation No.

Not yet assigned

Atty. Docket No.

506422.0116

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

NO FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir

In accordance with 37 C.F.R. § 1.56 and § 1.97(b), the references listed below and on the attached Form PTO/SB/08A (Substitute for Form 1449A-B/PTO) are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The present application is a divisional of prior application, Serial No. 09/893,314, filed June 27, 2001. The cited documents are already of record in the parent case, and therefore, copies are not being submitted with the present statement pursuant to 37 C.F.R. § 1.98(d). Submission of these references is not an admission that the references constitute prior art.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to NO FEE. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: Panienty 13, 2004
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Printed Name: Ronal BEVAN

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.



U.S. PATENTS

Patent No.	Inventor(s)	Issue Date
3,891,585	McDonald	June 24, 1975
3,907,582	Walter	September 23, 1975
5,306,750	Goodrich et al.	April 26, 1994
5,445,473	Chaverot et al.	August 29, 1995
5,513,925	Dempsey et al.	May 7, 1996
6,089,783	Goacolou	July 18, 2000
6,248,396	Helf	June 19, 2001

FOREIGN PATENTS

Country Patent No./Publication No. Publication Date
None.

OTHER REFERENCES

Request for Bid for Constructing or Improving, Missouri Highway and Transportation Commission, Jefferson City, Missouri, 1998.

Sand Anti-Fracture (SAF) Mixture Trial Handout, 1998.

Sand Anti-Fracture Layer "SAF" Handout, 1997.

Applicants respectfully request that these references be made of record in the above-identified application and considered by the Examiner during prosecution of the application.

It is respectfully submitted that the present invention as claimed is patentable over the listed references.

This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) or before the mailing of a first Office Action on the merits. Accordingly, no fee is due.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

Bv:

Susan J. Wharton, Reg. No. 41,524 STINSON MORRISON HECKER LLP

1201 Walnut, Suite 2800 Kansas City, MO 64106-2150 Telephone: (816) 842-8600

Facsimile: (816) 691-3495 Attorney for Applicants

PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for Form 1449A/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of 1

	Complete if Known
Application Number:	09/893,314
Filing Date:	October 20, 2003
First Named Inventor:	Phillip B. Blankenship
Group Art Unit:	174 1762
Examiner Name:	Peter A. Szekely ERIC Fuller
Attorney Docket Number:	506422-0116

	U. S. PATENT DOCUMENTS					
xaminer	Cite No.1	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication of	Pages, Columns, Lines Where Refevant
nitials"		Number	Kind Code ² (if known)	of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
		3,891,585		McDonaid	June 24, 1975	
		3,907,582		Walter	September 23, 1975	
		5,306,750		Goodrich et al.	April 26, 1994	
		5,445,473		Chaverot et al.	August 29, 1995	
		5,513,925		Dempsey et al.	May 7, 1996	
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		6,248.396		Helf	June 19, 2001	
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FOREIGN PATENT DOCUMENTS								
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^{*}Unique citation designation number: 2 See attached Kinds of U.S. Palent Documents, 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language Translation

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Substitute for Form 1449B/PTO (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

	Complete if Known
Application Number:	09/893,314
Filing Date:	October 20, 2003
First Named Inventor:	Phillip B. Blankenship
Group Art Unit:	17.14 1762
Examiner Name:	Peter A-Szekely Fire Feeler
Attorney Docket Number:	506422.0116

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS AND INFORMATION			
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), tille of the article (when appropriate), tille of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T2
		Request for Bid for Constructing or Improving, Missouri Highway and Transportation Commission, Jefferson City, Missouri, 1998.	
		Sand Anti-Fracture (SAF) Mixture Trial Handout, 1998.	
		Sand Anti-Fracture Layer *SAF* Handout, 1997.	
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¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.